

United States Environmental Protection Agency

INFORMATION ON EPA FORM 3540-16 - PESTICIDE REPORT FOR PESTICIDE-PRODUCING ESTABLISHMENTS for Reporting Year 1997

A REPORT MUST BE FILED EVEN IF THERE HAS BEEN NO PRODUCTION.
(The report is due March 1 of each year.)

IF YOU WILL **NOT** BE PRODUCING PESTICIDES IN THE FUTURE, YOU CAN REQUEST TO HAVE YOUR ESTABLISHMENT(S) INACTIVATED. SEND A LETTER ADDRESSED TO THE REGION(S) WHERE YOUR ESTABLISHMENT IS LOCATED, AND REQUEST INACTIVATION. PLEASE REFERENCE THE EPA ESTABLISHMENT NUMBER(S).

N O T E: BEFORE COMPLETING EPA FORM 3540-16, IT MAY BE NECESSARY TO MAKE ADDITIONAL COPIES OF THE FORM. PLEASE READ ALL INSTRUCTIONS BEFORE COMPLETING THIS FORM. EPA FORM 3540-16 HAS SPACE FOR ONLY THREE PRODUCTS TO BE LISTED IN EACH SET OF BLOCKS (16-27). IF YOU PRODUCE MORE THAN THREE PRODUCTS, A CONTINUATION SHEET IS REQUIRED. CHECK THE **CONTINUED ON ATTACHED SHEET** BLOCK AT THE BOTTOM OF THE FORM AND **REPRODUCE THE FORM** OR PROVIDE THE REQUIRED INFORMATION IN IDENTICAL FORMAT.

Requirement. Section 7 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (92 Stat. 829, 7 U.S.C. 136e), requires all registered pesticide-producing establishments to submit a report to the U.S. Environmental Protection Agency (EPA) 30 days after receipt of Notification of Registration of Pesticide-Producing Establishment (Form 3540-8A) and, thereafter, by **March 1** of each year. **FAILURE TO FILE THE INITIAL OR ANNUAL PESTICIDE PRODUCTION REPORT IS AN UNLAWFUL ACT AND MAY RESULT IN THE TERMINATION OF THE ESTABLISHMENT'S REGISTRATION, CIVIL AND/OR CRIMINAL PENALTY ASSESSMENTS.** It is unlawful to knowingly falsify all or part of any pesticide production information reported on EPA Form 3540-16. (Section 12(a)(2)(M) of FIFRA, 7 U.S.C. Section 136j) As defined by FIFRA, **"produce"** means **"to manufacture, prepare, compound, propagate, or process any pesticide or device or active ingredient used in producing a pesticide"**. **"Produce"** is further defined at 40 CFR 167.3 to mean, **"manufacture, prepare, propagate, compound or process any pesticide, including any pesticide produced pursuant to Section 5 of the Act, any active ingredient or device, or to package, repack, label, relabel, or otherwise change the container of any pesticide or device."** Repackaging or otherwise changing the container of any pesticide or device in bulk amounts constitutes pesticide production. **"Bulk"** has been defined as any volume of pesticide intended for repackaging into refillable containers, provided that the container is designed and constructed to accommodate the return and refill of greater than 55 gallons of liquid or 100 pounds dry material of the product.

Each producer operating an establishment must report the types and amounts of pesticides, active ingredients, and devices; the amount of pesticides produced, repackaged, or relabeled in the past year (1997); the sales/distribution of pesticides in the past year (1997); and the amount of pesticide estimated to be produced/repackaged or relabeled this year (1998). This information is used by EPA's Office of Enforcement and Compliance Assurance and the Office of Prevention, Pesticides, and Toxic Substances to support risk-benefit analysis, inspection, compliance, and enforcement activities.

ALL ESTABLISHMENTS

Producers of multi-use chemicals. Producers of chemicals that have both pesticidal and non-pesticidal uses are required to register their establishments and report their production on an annual basis under Section 7 of FIFRA if the producer has actual or constructive knowledge that a chemical or substance they produce is used or intended for use as an active ingredient in the manufacture of a pesticide. Such producers are required to report **only the amount of chemical or substance manufactured and sold or distributed for pesticidal purposes.**

Confidentiality. Under Section 7(d) of FIFRA, 7 U.S.C. Section 136e, information reported in items 24, 25, 26, and 27 of EPA Form 3540-16 will be treated as business confidential, subject to provisions of Section 10 of FIFRA, 7 U.S.C. Section 136h. Also, under Section 7(d) of FIFRA, 7 U.S.C. Section 136, information reported in items 1 through 23, except for inert ingredient information listed in item 16, is public and will not be accorded confidential treatment.

Public reporting burden for this information is estimated to average 1 hour 26 minutes per response, including reviewing instructions, searching data sources, gathering and maintaining data needed, and completing review and collection of information. Send comments regarding this burden estimate or other aspects of this information collection, including suggestions for reducing this burden, to Director, Regulatory Management Division (2136), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, and to the Paperwork Reduction Project, Office of Regulatory Management and Information, Office of Management and Budget, Washington, DC 20503.

To comply with the FIFRA Section 7 reporting requirement, each registered pesticide-producing establishment shall complete EPA Form 3540-16.

DOMESTIC ESTABLISHMENTS

Submit the **ORIGINAL AND ONE COPY** of the completed form(s) to the U.S. EPA Regional Office having jurisdiction over the State/Territory in which the company headquarters is located, even though your producing establishments are located in **different** EPA Regions.

U.S. Environmental Protection Agency Regional Offices and State/Territory Abbreviations

EPA Regional Offices	States/Terr. Covered	EPA Regional Offices	States/Terr. Covered
U.S. EPA Region I Pesticides Section (SEA) J.F. Kennedy Fed. Bldg. Boston, MA 02203-2211 Telephone 617/565-9055	CT, MA ME, NH RI, VT	U. S. EPA Region VI Pesticides Section (6TPP) 1445 Ross Avenue Dallas, TX 75202-2733 Telephone 214/665-7560	AR, LA NM, OK TX
U.S. EPA Region II Pesticides Team (MS-500) 2890 Woodbridge Avenue Building 5 Edison, NJ 08837-3679 Telephone 732/321-6750	NJ, NY PR, VI	U. S. EPA Region VII Water, Wetlands, Pesticides Division Pesticides Branch (WWPDPEST) 726 Minnesota Avenue Kansas City, KS 66101 Telephone 913/551-7614/7125	IA, KS MO, NE
U.S. EPA Region III Pesticides/Asbestos Programs & Enforcement Branch (3WC32) 1640 Arch Street Philadelphia, PA 19103-2062 Telephone 215/814-2062	DE, DC MD, PA VA, WV	U. S. EPA Region VIII Pesticides Section (ENF-PT) 999 18th Street, Suite 500 Denver, CO 80202-2466 Telephone 303/312-6049	CO, MT ND, SD UT, WY
U.S. EPA Region IV AFC Pesticides Section (APTMD) 61 Forsyth Street, SW Atlanta, GA 30303-3104 Telephone 404/562-9011	AL, FL GA, KY MS, NC SC, TN	U. S. EPA Region IX Pesticides Section (CMD-4-3) 75 Hawthorne Street San Francisco, CA 94105 Telephone 415/744-1066	AZ, AS CA, GU HI, NV
U.S. EPA Region V PTES 77 W. Jackson Blvd. (DT-8J) Chicago, IL 60604-3507 Telephone 312/886-6008	IL, IN MI, MN OH, WI	U. S. EPA Region X Pesticides Unit (ECO-084) 1200 Sixth Avenue Seattle, WA 98101 Telephone 206/553-0505	AK, ID OR, WA

FOREIGN ESTABLISHMENTS

Submit the **ORIGINAL AND ONE COPY** of the completed form(s) to:

Carol L. Buckingham
U. S. Environmental Protection Agency
Office of Compliance
Agriculture and Ecosystems Division (2225A)
401 M Street, SW
Washington, DC 20460 USA
Telephone: 202-564-5008

INSTRUCTIONS FOR COMPLETION OF EPA FORM 3540-16 (FOR REPORTING YEAR 1997)
(PLEASE TYPE OR PRINT THE INFORMATION ON THE REPORT)

GENERAL ESTABLISHMENT INFORMATION (ITEMS 1-15)

ITEMS 1-10. Complete all items in this Section. The enclosed label(s) may be used in lieu of completing items 1-6. Correct any errors.

ITEMS 11-15. Establishment Officer Information. The company officer certifying that the information contained in the report is correct should print his/her name, title, complete telephone number, and date and sign the form in items 11-15.

PRODUCTION INFORMATION (ITEMS 16-27)

Each block must be completed for each pesticide product, active ingredient, or device that is produced, repackaged, or relabeled by the establishment. Include all EPA and State-registered pesticides, technical materials or active ingredients, pesticides produced while registration is pending, pesticides produced under experimental use permits, and pesticides produced for export only. If the establishment produces products registered by other companies, the producing establishment must include those products in its report. (A pesticide produced under several distributor labels (brand names) but having the same registration number should be reported only as a single product rather than reported separately for each labeled product.) If the establishment has no production, enter "No Production" in item 18. **INFORMATION IN ITEM 16 (INERT INGREDIENT) AND ITEMS 24-27 WILL BE TREATED AS CONFIDENTIAL.**

ITEMS 16-17. Product Code and EPA Product Registration Number.

Enter "1" in item 16 if the product is registered with EPA; enter in item 17 the EPA Product Registration Number exactly as it appears on the product label.

Enter "2" in item 16 if the product registration is pending; enter in item 17 the EPA File Symbol.

Enter "3" in item 16 if the product has an experimental use permit; enter in item 17 the EPA Experimental Use permit number exactly as it appears on the product label.

Enter "4" in item 16 if none of the above apply; leave item 17 blank. For all Code 4 products (except devices), (1) attach a list of the chemical names for each ingredient, both active and inert in the product and (2) the percentage, by weight, of each ingredient (must total 100%).

ITEM 18. Enter the **Product Name** exactly as it appears on the product label. For all products listed as product **Code 4** in item

16 above, enter or attach the common name of the active ingredient (if any) and include the CAS Registry number. If your establishment has not produced pesticides/devices in 1997, enter: "NO PRODUCTION".

ITEM 19. Product Classification. Enter the **Code** from the list below that best describes the product.

01 Insecticide	21 Insecticide-Fungicide	02 Fungicide	03 Rodenticide
04 Herbicide	44 Herbicide-Fungicide	05 Algicide	06 Nematocide
07 Plant Regulator	08 Defoliant, Desiccant	09 Disinfectant, Germicide, Sanitizer	
10 Antifouling Paint	11 Animal Repellent	12 Other Pesticides (includes insect repellents such as DEET)	
13 Device	14 Water Purifier-Point of Use	15 Water Purifier-Small System	16 Multi-Use Active Ingredient

ITEM 20. Product Type. Enter the **Code** that best describes the type of product.

Enter "1" if the product is a TECHNICAL MATERIAL, or ACTIVE INGREDIENT for **Manufacturing Use Only**. (This product is not suitable, nor is it labeled suitably for end-use applications).

Enter "2" if the product is an END-USE BLEND, FORMULATION, or CONCENTRATE. (This product is suitable for use as is and is labeled suitably for end-use applications). Do **not** include those products your establishment formulates, reformulates, or repackages from your own establishment's manufacturing-use products or end-use products.

Enter "3" if the product is being REPACKAGED or RELABELED. (This activity includes taking end-use products from bulk containers and repackaging and/or relabeling them in smaller or any other containers. This activity **does not** include any blending, dilution, or change in formula.)

Enter "4" if the product is a DEVICE.

ITEM 21. Market Produced. Enter the **Code** that best describes the market for which the pesticide is produced, sold and/or distributed.

Enter "1" if all of the product is marketed in the U.S. (*All foreign producing establishments should enter "1" - Please **do not** report what you produced for other countries*).

Enter "2" if the product is marketed both in the U.S. and exported out of the U.S.

Enter "3" if all of the product is exported out of the U.S.

ITEM 22. Use Classification. Enter the **Code** that best describes the use classification of the product.

Enter "1" if the product's label states RESTRICTED USE ONLY (to be applied by/under direct supervision of certified applicator only).

Enter "2" for all other pesticide products.

ITEM 23. Unit of Measure. Enter the **Unit of measure** that best describes the amounts of product shown in items 24-27.

G = Gallons [liquid chemical product]

P = Pounds [dry or solid chemical product]

L = Liters [liquid chemical product]

K = Kilograms [dry or solid chemical product]

T = Tons [short ton = 2000 lbs or 907.2 Kilograms] [dry or solid chemical product]

U = Units [items such as devices or pesticides that the label does not declare as Gallons, Pounds, Liters, Kilograms or Tons]

ITEM 24. Amount Produced/Repackaged/Relabeled Last Year (1997). Enter the amount of the pesticide product produced, repackaged, or relabeled at the establishment during the reporting calendar year 1997. (**For active ingredients, enter the amount produced, repackaged, or relabeled for pesticidal purposes only.**)

ITEMS 25, 26. Amount Sold/Distributed Last Year (1997). Enter the amount of the pesticide product produced, repackaged, or relabeled by the establishment that was actually sold or distributed in 1997, **regardless of when the product was produced or repackaged**. Note: This does not include reporting the amounts of custom applied pesticides, prepackaged pesticides, or custom blended pesticides. Report the amount sold or distributed in the United States in item 25, and the amount released for shipment outside of the United States in item 26. (**For active ingredients, enter the amount produced, repackaged, or relabeled for pesticidal purposes only.**)

ITEM 27. Amount (Anticipated) To Be Produced/Repackaged/Relabeled This Year (1998). Enter an estimate of the amount of the pesticide product that is expected to be produced, repackaged, or relabeled at the establishment during 1998.

(For active ingredients, enter the amount expected to be produced, repackaged, or relabeled for pesticidal purposes only.)